

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELAINA BARBER,

Plaintiff,

vs.

TARGET CORPORATION, *et al.*,

Defendants.

2:13-cv-02268-JCM-VCF

**ORDER SCHEDULING A SETTLEMENT
CONFERENCE**

Pursuant to a referral by the **Honorable James C. Mahan**, United States District Judge, a settlement conference is hereby scheduled to commence at **10:00 a.m., October 26, 2015**, in the chambers of the undersigned United States Magistrate Judge, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Ste. 3005, Las Vegas, Nevada.

All **principal counsel of record who will be participating in the trial** and who have full authority to settle this case, all parties appearing pro se, if any, and **all individual parties must be present**. In the case of non-individual parties, counsel of record shall arrange for an officer or representative with binding authority to settle this matter up to the full amount of the claim or most recent demand to be present for the duration of the conference.

If any party is subject to coverage by an insurance carrier, then a representative of the insurance carrier with **authority to settle this matter up to the full amount of the claim** or most recent demand must also be present for the duration of the settlement conference. This representative must be the adjuster primarily responsible for the claim or an officer with supervisory authority over that adjuster. Third party administrators do not qualify.

1 A request for an exception to the above attendance requirements must be filed and served at **least**
2 **two weeks prior** to the settlement conference. Counsel of record, individual parties, and a fully authorized
3 representative shall appear in person unless the court enters an order granting a request for exception.

4 **PREPARATION FOR SETTLEMENT CONFERENCE**

5 In preparation for the settlement conference, the attorneys for each party shall submit a
6 confidential settlement conference statement for the Court's in camera review. The settlement conference
7 statement shall contain the following:

8 1. Identify, by name or status the person(s) with decision-making authority, who, in
9 addition to counsel, will attend the settlement conference as representative(s) of the party, and persons
10 connected with a party opponent (including an insurer representative) whose presence might substantially
11 improve the utility of the settlement conference or the prospects of settlement;

12 2. A brief statement of the nature of the action.

13 3. A concise summary of the evidence that supports your theory of the case, including
14 information which documents your damages claims. Please attach to your statement any documents or
15 exhibits which are relevant to key factual or legal issues, including selected pages from deposition
16 transcripts or responses to other discovery requests.

17 4. An analysis of the key issues involved in the litigation.

18 5. A discussion of the strongest points in your case, both legal and factual, **and a frank**
19 **discussion of the weakest points as well.** The Court expects you to present a candid evaluation of the
20 merits of your case.

21 6. A further discussion of the strongest and the weakest points in your opponent's
22 case, but only to the extent that they are more than simply the converse of the weakest and the strongest
23 points in your case.
24
25

4 9. The settlement proposal that you would honestly be willing to make in order to
5 conclude this matter and stop the expense of litigation.

6 The settlement conference statements shall be received in my chambers (333 Las Vegas Boulevard
7 South, Ste. 3005, Las Vegas, Nevada) - not later than **4:00 p.m., October 19, 2015. DO NOT SERVE**
8 **A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL COPIES TO THE**
9 **CLERK'S OFFICE.**

10 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and
11 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost candor
12 in responding to all of the above-listed questions is required. **The settlement statement will be seen by**
13 **no one except the undersigned.** If this case does not settle, the settlement conference statement will not
14 be disclosed to the judge who ultimately presides over the trial. Each statement will be securely
15 maintained in my chambers, and will be destroyed following the conference.

16 DATED this 10th day of August, 2015.


CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE